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BAKER & MCKENZIE
101 WEST BROADWAY
12TH FLOOR
SAN DIEGO, CA 92101

In re Application of :
Raymond D. McIntyre, :
Stanley W. Johnsen, Marcel Marc, :
Michelango Delfino, and Edward :
Seppi :
Application No. 09/379,439 :
Filed: August 23, 1999 :
Title of Invention: METHOD AND :
APPARATUS FOR PRODUCING RADIOACTIVE: :
MATERIALS FOR MEDICAL TREATMENT :
USING X-RAYS :
PRODUCED BY AN ELECTRON ACCELERATOR:

**OFFICE OF PETITIONS
A/C PATENTS**

DECISION GRANTING
STATUS
UNDER 37 CFR 1.47(a)

This is in response to a Request for Reconsideration of Petition Under 37 CFR 1.47(a), filed July 16, 2001 (certificate of mailing July 11, 2001).

The petition is **granted**.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

Petitioner has shown that the non-signing inventor, Michelango Delfino, refuses to sign the declaration after being presented with the above-identified application and declaration.

As provided in Rule 1.47(a), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the Petition. Notice of the filing of this application will also be published in the Official Gazette.

The application file is being forwarded to Technology Center 2800 for further processing in due course.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Derek L. Woods at (703) 305-0014.

Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy